

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 18, 22-24, 26-28, 30-32, 34-36, 38-40 and 44 are currently pending. Claims 18, 22, 26, 30, 34, 38 and 44 are independent. Claims 1-17, 19-21, 25, 29, 33, 37 and 41-43 have been canceled, without prejudice or disclaimer of subject matter. Claims 18, 22, 26, 30-32, 34-36, 38-40 and 44 are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed, and specifically at Fig. 7. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §112

Claims 18, 22-24, 26-28, 30-32, 34-36, 38-40 and 44 were rejected under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification.

Claims 18, 22-24, 26-28, 30-32, 34-36, 38-40 and 44 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite.

In the Office Action of February 25, 2004, the Examiner indicated that claims 18, 22, 26, 30, 34, 38 and 44 recite, “wherein when said arrival time stamp is discontinuous, output timing of the transport packet is controlled in accordance with the discontinuity information.” The Examiner indicated that the above-mentioned recitation is not found in the recording apparatus of Fig. 7, and therefore should not be included in recording apparatus/method claims. However, applicant believes that the above-mentioned recitation is found in Fig. 7. As a result, applicant has amended the independent claims to clarify that a storage medium comprises the features mentioned of the above-mentioned recitation (Fig. 7 clearly shows a storage media unit 7).

In particular, claim 18 recites, *inter alia*:

“A recording apparatus...comprising...

a recording unit operable to store said transport packet that includes the added arrival time stamps and the information corresponding to discontinuity of the added arrival time stamps on a storage medium;

wherein when said arrival time stamp located in said storage medium is discontinuous, time of receipt timing outputs of the transport packet received from said information generator are controlled in accordance with the discontinuity information.”
(emphasis added)

Claims 18, 22, 26, 30, 34, 38 and 44 are hereby amended as recited above, thus obviating the 112 first and second paragraph rejections.

Therefore, Applicant submits that independent claims 18, 22, 26, 30, 34, 38 and 44 are patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.


CONCLUSION

Applicant respectfully requests early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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